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**FILED**

NOV 17 2011

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOB HERNANDEZ,

Defendant.

No. CR-11-00494 DLJ

**STIPULATION TO CONTINUE  
HEARING TO NOVEMBER 22, 2011 at  
9:00 a.m., and ~~PROPOSED~~ ORDER**

Honorable Howard R. Lloyd

**STIPULATION**

The parties, Job Hernandez and the government, acting through their respective counsel and subject to the Court's approval, stipulate that the hearing date currently set for November 18, 2011, be vacated and that the Court set a new hearing date on November 22, 2011, at 9:00 a.m.

Counsel for Mr. Hernandez has a calendar conflict and will be unavailable on November 18, 2011.

The parties further agree and stipulate for purposes of Speedy Trial Act computations pursuant to Title 18, United States Code, Sections 18 U.S.C. §3161(h)(7)(A) and (B)(iv) that time should be excluded from November 18, 2011 through and including November 22, 2011, to provide continuity of counsel and to provide defense counsel further time to prepare.

1 Accordingly, Mr. Hernandez and the government agree that granting the requested exclusion of  
2 time will serve the interest of justice and outweigh the interest of the public and the defendant in  
3 a speedy trial.

4 Dated: November 16, 2011

5 /s/  
6 Manuel U. Araujo,  
Assistant Federal Public Defender

7 Dated: November 16, 2011

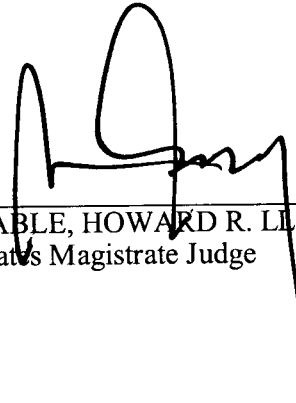
8 /s/  
9 Thomas Colthurst,  
Assistant United States Attorney

10  
11 **[PROPOSED] ORDER**

12 WHEREFORE, based on the above, the COURT HEREBY ORDERS that the hearing  
13 currently scheduled on November 18, 2011, is continued to November 22, 2011, at 9:00 a.m.,  
14 and further ordered that the period of delay from time from November 18, 2011, through and  
15 including November 22, 2011, is excluded for purposes of Title 18, United States Code,  
16 Sections 3161(h)(7)(A) and 3161(h)(7)(B)(iv).

17 SO ORDERED.

18 Dated: 11/17/, 2011

19   
20 HONORABLE, HOWARD R. LLOYD,  
United States Magistrate Judge